

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

CRYOVAC, INC.,)	
)	
Plaintiff/Counter-Defendant.)	Civil Action No. 04-1278
)	
vs.)	Hon. Kent. A. Jordan
)	
PECHINEY PLASTIC PACKAGING, INC.)	
)	
Defendant/Counter-Plaintiff.)	

**NOTICE OF DEPOSITION OF
PECHINEY PLASTIC PACKAGING INC. (No. 3)**

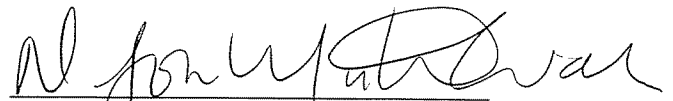
PLEASE TAKE NOTICE that, pursuant to Rule 30(b)(6) of the Federal Rules of Civil Procedure, plaintiff/counter-defendant Cryovac, Inc. ("Cryovac") will take the deposition of defendant/counter-plaintiff Pechiney Plastic Packaging, Inc. ("Pechiney") upon oral examination of the witness(es) designated by Pechiney as the person(s) most competent to testify on its behalf concerning the categories listed on the attached Schedule A. The deposition shall be recorded by videotape and stenographic means on such date and at such location as may be agreed to by the parties.

In accordance with Rule 30(b)(6), Cryovac requests that Pechiney prepare its designee(s) to testify "as to matters known or reasonably available to" Pechiney regarding the subjects listed on attached Schedule A. Cryovac also requests that Pechiney provide Cryovac with written notice of at least five (5) business days before the deposition of the name and employment position of each person designated to testify on Pechiney's behalf, identifying the matters set forth in Schedule A as to which each person will testify.

The deposition, before a Notary Public or other person authorized by law to administer oaths, will continue from day to day until completed with such adjournments as to time and place as may be necessary. You are invited to attend and to cross-examine the witness.

Respectfully submitted,

Dated: August 16, 2005



John W. Shaw (No. 3362)
Karen E. Keller (No. 4489)
D. Fon Muttamara-Walker (No. 4646)
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Attorneys for Plaintiff Cryovac, Inc.

SCHEDULE A

All profits Pechiney has earned from its supply goods with National Beef under the Letter of Intent signed by National Beef and Pechiney on or about February 24, 2004, including product volumes shipped, prices paid, rebates, discounts, and all other adjustments to the purchase price established in the Supply Agreement, including the identification of any documents used to calculate the profits Pechiney has earned under the Letter of Intentt.

CERTIFICATE OF SERVICE

I hereby certify that on August 16, 2005, I caused to be electronically filed, a true and correct copy of the foregoing document with the Clerk of Court using CM/ECF, which will send notification that such document is available for viewing and downloading to the following counsel of record:

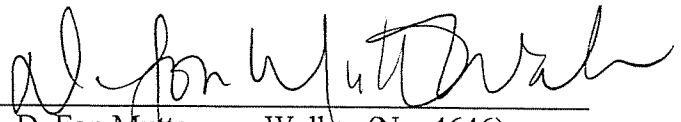
N. Richard Powers, Esq.
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I further certify that on August 16, 2005, I caused a copy of the foregoing document to be served by hand delivery to the above-listed counsel of record, and on the following non-registered participants in the manner indicated:

VIA FEDERAL EXPRESS

Steven R. Trybus, Esq.
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By: _____



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